



department of
**MENTAL HEALTH &
SUBSTANCE ABUSE**

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PROPOSED FEE SCHEDULE

PHASE I

APRIL 26, 2012

TABLE OF CONTENTS

	Page No.
Executive Summary	I
Description of Services	
Psychiatric diagnostic or evaluative interview procedures	1
Psychiatric therapeutic procedures - outpatient	1, 2
Interactive psychotherapy	2,3
Inpatient hospital, partial hospital or behavior modifying residential care facility	3,4
Interactive psychotherapy, inpatient	4,5
Other psychotherapy	5
Other psychiatric services or procedures	5,6
Health and behavior assessment/intervention	6,7,8,9
Adult and/or children's inpatient unit service, room and board	10
Inpatient/Outpatient	10
Medications	
Antipsychotic drugs	M1
Antidepressants	M1
Mood stabilizing agents	M2
Antianxiety agents	M2
ADHD medications	M3
Hyperacidity	M3
Pain meds	M3
Antihypertensive	M4
Antiallergy	M4
Cough meds	M4
Diabetic meds	M4
Infections	M5
Antiasthma	M5
Anti-opioid dependency	M5
Miscellaneous	M6

EXECUTIVE SUMMARY

The Department of Mental Health & Substance Abuse through “Caring Communities” provides an array of mental health care and substance abuse services for the island of Guam. These services include, but are not limited to comprehensive inpatient and community-based outpatient mental health, alcohol and drug treatment programs. It is within our vision to transform from being a major service provider to community-based, consumer and family driven continuum of services and support. Major priorities include addressing requirements of the Permanent Injunction, improving the quality of care and sustainability DMHSA operations that will retain qualified and professional staff, maintain contractual obligations and outsource programs that are ready for the community.

In July 2001, the U.S. District Court of Guam found that the Governor of Guam and the Directors of the Departments of Integrated Services for Individuals with Disabilities (DISID) and Mental Health and Substance Abuse (DMHSA) violated the American’s Disabilities Act (ADA) and the Rehabilitation Act by not placing qualified persons with mental and physical disabilities in the least restrictive settings. The U.S. District Court subsequently mandated a myriad of requirements to address the Permanent Injunction, and in March 2010, appointed the Federal Management Team. The FMT’s Plan of Action included the establishments of the Fee Schedule. Public Law 28-68, Section 21, mandated DMHSA to establish Mental Health Fees that would generate revenues to address the Permanent Injunction, as well as to supplement its annual budget allocation. Therefore as mandated by law, submitted herewith is the 2012 Fee Schedule to be effective September 1, 2012. This fee schedule lists the major services as coded and written in the American Medical Association, Current Procedural Terminology – code book of 2011.

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AUTHORIZATION: 10 GCA, CHAPTER 86, §86108.5.b/c/d, PUBLIC LAW 28-68

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**PROPOSED FEE SCHEDULE
FOR SERVICES
PHASE I**

DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

PROPOSED FEE SCHEDULE - PHASE I

Code	Description	Licensed Professionals		
		Master's	Psychologist	Psychiatrist
Psychiatric diagnostic or evaluative interview procedures				
Psychiatric diagnostic interview examination includes a history, mental status, and a disposition, and may include communication with family or other sources, ordering and medical interpretation of laboratory or other medical diagnostic studies. In certain circumstances other informants will be seen in lieu of patient.				
90801	Psychiatric diagnostic interview exam; Drug and alcohol comprehensive assessment (use of Addiction Severity Index - ASI).	\$175.55	\$191.51	\$195.00
90802	Interactive psychiatric diagnostic interview examination using play equipment, physical devices, language interpreter, or other mechanisms of communication.	\$191.46	\$208.86	\$215.00
Psychiatric therapeutic procedures - outpatient				
Psychotherapy is the treatment for mental illness and behavioral disturbances in which the clinician establishes a professional contract with the patient and through definitive therapeutic communication, attempts to alleviate the emotional disturbances, reverse or change maladaptive patterns of behavior and encourage personality growth and development.				
90804	Individual psychotherapy: 20 - 30 minutes; Drug and alcohol services, individual counseling by a certified (International Certification and Reciprocity Consortium or National Association for Alcoholism and Drug Abuse Counselors) substance abuse treatment counselor.	\$70.55	\$83.38	\$89.80
90805	Individual psychotherapy: 20 - 30 minutes with medical evaluation and management services.			\$111.00

Code	Description	Licensed Professionals		
		Master's	Psychologist	Psychiatrist
90806	Individual psychotherapy: 45 - 50 minutes; Drug and alcohol services, individual counseling by a certified (International Certification and Reciprocity Consortium or National Association for Alcoholism and Drug Abuse Counselors) substance abuse treatment counselor; Drug and alcohol services, individual counseling for children under 17 years of age.	\$92.21	\$108.98	\$117.36
90807	Individual psychotherapy: 45 - 50 minutes with medical evaluation and management services.			\$144.02
90808	Individual psychotherapy: 75 - 80 minutes.	\$134.30	\$158.72	\$170.93
90809	Individual psychotherapy: 75 - 80 minutes with medical evaluation and management services.			\$199.57
Interactive psychotherapy				
Interactive psychotherapy is typically furnished to children. It involves the use of physical aids and non-verbal communication to overcome barriers to therapeutic interaction between the clinician and a patient who has not yet developed, or has lost either the expressive language communication skills to explain his/her symptoms and response to treatment, or the receptive communication skills to understand the clinician if he/she were to use ordinary adult language for communication.				
90810	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an office or outpatient facility, approx 20 - 30 minutes face-to-face with the patient.	\$71.91	\$84.98	\$91.52
90811	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an office or outpatient facility, approx 20 - 30 minutes face-to-face with the patient with medical evaluation and management services.			\$119.60

Code	Description	Licensed Professionals		
		Master's	Psychologist	Psychiatrist
90812	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an office or outpatient facility, approx 45 - 50 minutes face-to-face with patient.	\$101.52	\$119.98	\$129.21
90813	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communications, in an office or outpatient facility, approx 45 - 50 minutes face-to face with patient with medical evaluation and management services.			\$156.95
90814	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communications, in an office or outpatient facility, approx 75 - 80 minutes face-to-face with patient.	\$144.74	\$171.05	\$184.21
90815	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an office or outpatient facility, approx 75 - 80 minutes face-to-face with patient with medical evaluation and management services.			\$214.28
Inpatient hospital, partial hospital or behavior modifying residential care facility				
Hospital care by the attending licensed professional in treating a psychiatric inpatient or partial hospitalization maybe initial or subsequent in nature and may include exchanges with nursing personnel. Hospital care services involve a variety of responsibilities unique to the medical management of inpatients, such as a physician hospital orders, interpretation of laboratory or other medical diagnostic studies and observation.				
90816	Individual Inpatient Psychotherapy: 20 - 30 minutes.	\$58.22	\$68.81	\$74.10
90817	Individual Inpatient Psychotherapy: 20 - 30 minutes with medical evaluation and management services.			\$89.75
90818	Individual Inpatient Psychotherapy: 45 - 50 minutes.	\$85.56	\$101.12	\$108.89

Code	Description	Licensed Professionals		
		Master's	Psychologist	Psychiatrist
90819	Individual Inpatient Psychotherapy: 45 - 50 minutes with medical evaluation and management services.			\$127.85
90821	Individual Inpatient Psychotherapy: 75 - 80 minutes.	\$126.29	\$149.25	\$160.73
90822	Individual Inpatient Psychotherapy: 75 - 80 minutes with medical evaluation and management services.			\$182.79
Interactive psychotherapy, inpatient				
90823	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient hospital, partial hospital or residential care setting, approx 20 - 30 minutes face-to-face with the patient.	\$64.50	\$76.23	\$82.10
90824	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient hospital, partial hospital or residential care setting, approx 20 - 30 minutes face-to face with the patient with medical evaluation and management services.	\$76.03	\$89.86	\$96.77
90826	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient hospital, partial hospital or residential care setting, approx 45 - 50 minutes face-to-face with the patient.	\$90.92	\$107.45	\$115.71
90827	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient hospital, partial hospital or residential care setting, approx 45 - 50 minutes face-to face with the patient with medical evaluation and management services.	\$104.58	\$123.59	\$133.10

Code	Description	Licensed Professionals		
		Master's	Psychologist	Psychiatrist
90828	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient hospital, partial hospital or residential care setting, approx 75 - 80 minutes face-to-face with the patient.	\$130.42	\$154.13	\$165.99
90829	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of non-verbal communication, in an inpatient hospital, partial hospital or residential care setting, approx 75 - 80 minutes face-to-face with the patient with medical evaluation and management services.	\$148.60	\$175.62	\$189.13
Other psychotherapy				
90845	Psychoanalysis.	\$87.44	\$103.34	\$111.29
90846	Family therapy (without patient present).	\$92.39	\$109.19	\$117.59
90847	Family therapy (with patient present).	\$115.52	\$136.53	\$147.03
90849	Multiple-family group psychotherapy.	\$43.89	\$43.89	\$43.89
90853	Group psychotherapy (other than of a multiple-family group); Drug and alcohol services, group counseling by a certified (International Certification and Reciprocity Consortium or National Association for Alcoholism and Drug Abuse Counselors) substance abuse treatment counselor; Drug and alcohol services, group counseling for children under 17 years of age.	\$42.35	\$42.35	\$42.35
90857	Interactive group psychotherapy.	\$49.23	\$49.23	\$49.23
Other psychiatric services or procedures				
90862	Pharmacologic management, including prescription, use, and review of medication with no more than minimal medical psychotherapy.		\$80.55	\$86.74

Code	Description	Licensed Professionals		
		Master's	Psychologist	Psychiatrist
90875	Individual psychophysiological therapy incorporating biofeedback training by any modality (face-to-face with the patient), with psychotherapy (e.g., insight oriented, behavior modifying or supportive psychotherapy); approx 20 - 30 minutes.		\$75.83	\$81.67
90876	Individual psychophysiological therapy incorporating biofeedback training by any modality (face-to-face with the patient), with psychotherapy (e.g., insight oriented, behavior modifying or supportive psychotherapy); approx 45 - 50 minutes.		\$86.67	\$93.34
90880	Hypnotherapy .		\$128.49	\$138.38
90885	Psychiatric evaluation of hospital records, other psychiatric reports, psychometric and/or projective tests, and other accumulated data for medical diagnostic purposes.		\$130.00	\$140.00
90887	Interpretation or explanation of results of psychiatric, other medical examinations and procedures, or other accumulated data to family or other persons, or advising them how to assist patient.			\$140.00
90889	Preparation of reports of patient's psychiatric status, history, treatment, or progress (other than for legal or consultative purposes) for other physicians, agencies, or insurance carriers.		\$119.17	\$119.17
Health & behavior assessment/intervention				
96101	Psychological testing, interpretation, and reporting.		\$108.47	
96102	Psychological testing (includes psychodiagnostic assessment of emotionality, intellectual abilities, personality and psychopathology, e.g., Minnesota Multi Phasic Inventory and Weschler Adult Intelligence Scale), with qualified health care professional interpretation and report, administered by tech, per hour of tech time.		\$107.30	

Code	Description	Licensed Professionals	
		Master's	Psychiatrist
96103	Psychological testing (includes psychodiagnostic assessment of emotionality, intellectual abilities, personality and psychopathology, e.g. Minnesota Multi Phasic Inventory), administered by a computer, with qualified health care professional interpretation and report.	\$90.90	
96105	Assessment of aphasia includes test admin, interpretation and report, per hour.	\$139.95	
96110	Developmental testing limited with interpretation and report, e.g., autistic spectrum disorders.	\$130.00	
96111	Developmental testing; extended (includes assessment of motor, language, social, adaptive and/or cognitive functioning by standardized developmental instruments) with interpretation and report.	\$165.45	
96116	Neurobehavioral status exam (clinical assessment of thinking, reasoning and judgment, e.g., acquired knowledge, attention, language, memory, planning and problem solving, and visual spatial abilities), per hour of the psychologist's or physician's time, both face-to-face time administering tests to the patient and time interpreting these test results.	\$119.11	\$119.11
96118	Neuropsychological testing (e.g. Halstead-Reitan Neuropsychological Battery, Wechsler Memory Scales and Wisconsin Card Sorting Test), per hour of the psychologist's or physician's time, both face-to-face time administering tests to the patient and time interpreting these test results.	\$125.32	

Code	Description	Licensed Professionals		
		Master's	Psychologist	Psychiatrist
96119	Neuropsychological testing (e.g. Haistead-Reitan Neuropsychological Battery, Wechsler Memory Scales and Wisconsin Card Sorting Test), with qualified health care professional interpretation and report, administered by tech, per hour of tech time, face-to-face.		\$100.22	
96120	Neuropsychological testing (e.g., Wisconsin Card Sorting Test), administered by a computer, with qualified health care professional interpretation and report.		\$128.69	
96125	Standardized cognitive performance testing (e.g., Ross Information Processing Assessment) per hour of a qualified health care professional's time, both face-to-face time administering test to the patient and time interpreting these test results.		\$135.60	
96150	Health and behavioral assessment (e.g., health-focused clinical interview, behavioral observations, psychophysiological monitoring, health-oriented questionnaires), each 15 minutes face-to-face with the patient; initial assessment.	\$22.87	\$27.03	\$27.03
96151	Health and behavioral assessment (e.g., health-focused clinical interview, behavioral observations, psychophysiological monitoring, health-oriented questionnaires), each 15 minutes face-to-face with the patient; re-assessment.	\$22.12	\$26.14	\$26.14
96152	Health and behavior intervention, each 15 minutes, face-to-face; individual.	\$20.94	\$24.75	\$24.75
96153	Health and behavior intervention, each 15 minutes, face-to-face; group (2 or more patients).	\$4.87	\$5.76	\$5.76
96154	Health and behavior intervention, each 15 minutes, face-to-face; family (with the patient present).	\$20.57	\$24.31	\$24.31

Code	Description	Licensed Professionals		
		Master's	Psychologist	Psychiatrist
96155	Health and behavior intervention, each 15 minutes, face-to-face; family (without the patient present).	\$20.57	\$24.31	\$24.31
98966	Telephone consult/order/intervention, brief (less than 15 minutes).	\$15.00	\$17.73	\$17.73
98967	Telephone consult/order/intervention, limited (15 to 30 minutes).	\$35.00	\$41.37	\$41.37
98968	Telephone consult/order/intervention, intermediate (more than 30 minutes).	\$55.00	\$65.00	\$65.00
99075	Medical testimony.		\$189.58	\$204.16

Code	Description	Rate
80101	Drug and alcohol screening for presence of drug and/or alcohol	\$45.00
Adult and/or children's inpatient unit service, room and board		
62330	Adult inpatient unit per day - This service provide 24-hour acute psychiatric in-patient care for adults with mental disorder(s). Comprehensive psychiatric care includes supervised care provided by an interdisciplinary team, a semi-private room and daily meals. Ancillary services (x-ray, pharmacy and laboratory) are excluded and are charged separately. The room charge is imposed on a daily census conducted at midnight. The admission and discharge occurs only when approved by those persons authorized by law to do so.	\$688.75
62331	Children inpatient unit per day - This service provide 24-hour acute in-patient care for children/adolescents through the age of 17 with mental disorder(s). Comprehensive psychiatric care includes services and supervised care provided by an interdisciplinary team, a semi-private room and daily meals. Ancillary services (x-ray, pharmacy and laboratory) are excluded and are charged separately. The room charge is imposed from a daily census conducted at midnight. the admission and discard occurs only when approved by thus persons authorized by law to do so.	\$688.75
Inpatient/Outpatient		
99211	Office or other outpatient visit for the evaluation and management of an established patient, that may not require the presence of a physician. Usually, the presenting problem(s) are minimal. Typically, 5 minutes are spent performing or supervising these services.	\$23.10



**PROPOSED FEE SCHEDULE
FOR MEDICATION
PHASE I**

DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE
FEE SCHEDULE FOR MEDICATION - PHASE I
FY2012

DMHSA PHARMACY FORMULARY MEDICATION FEES ARE PROPOSED AT COST +200%

ANTIPSYCHOTIC DRUGS

	BRAND NAME	GENERIC NAME	STRENGTH
1	ABILIFY (TABLET)	ARIPRAZOLE	2, 5, 10, 15, 20 MG
2	PROLIXIN (TABLET)	FLUPHENAZINE	2, 5, 10 MG
3	GEODON (CAPSULES)	ZIPRAZIDONE	20, 40, 60, 80 MG
4	HALDOL (TABLET)	HALOPERIDOL	0.5, 1, 2, 5, 10, 20MG
5	INVEGA (TABLET)	PALIPERIDONE	3, 6, 9 MG
6	MOBAN (TABLET)	MOLINDONE	5, 10, 25, 50, 100 MG
7	NAVANE (CAPSULE)	THIOXIXENE	1, 2, 5, 10, 20 MG
8	RISPERDAL (TABLET)	RISPERIDONE	1, 2, 3, 4 MG
9	SEROQUEL (TABLET)	QUETIAPINE	25, 50, 100, 200, 300, 400 MG
10	THORAZINE (TABLET)	CHLORPROMAZINE	10, 25, 50, 100 MG
11	ZYPREXA (TABLET)	OLANZAPINE	10, 15, 20 MG
12	PROLIXIN Hcl INJECTION	FLUPHENAZINE	2.5 MG/ML
13	PROLIXIN DECANOATE INJECTION	FLUPHENAZINE	25 MG/ML
14	HALDOL DECANOATE INJECTION	HALOPERIDOL DECANOATE	50MG/ML, 100MG/ML
15	HALDOL HCL INJECTION	HALOPERIDOL	5 MG/ML
16	ATIVAN INJECTION	LORAZEPAM INJECTION	2MG/ML
17	BENADRYL INJECTION	DIPHENHYDRAMINE	50MG/ML
18	RISPERDAL POWDER FOR INJECTION	RISPERIDONE	12.5, 25, 37.5, 50 MG
19	INVEGA INJECTION	PALIPERIDONE	39, 78, 117, 156, MG
20	ZYPREXA INJECTION (LONG & SHORT)	OLANZAPINE	10MG, 210 MG/ML, 300MG/ML, 405MG/ML

ANTIDEPRESSANTS

	BRAND NAME	GENERIC NAME	STRENGTH
1	CELEXA (TABLET)	CITALOPRAM	20, 40 MG
2	CYMBALTA (CAPSULE)	DULOXETINE	30, 60 MG
3	EFFEXOR (TABLET)	VENLAFAXINE	37.5, 50, 75, 100 MG
4	EFFEXOR XR (CAPSULE)	VENLAFAXINE XR	75, 150 MG
5	LEXAPRO (TABLET)	ESCITALOPRAM	10, 20 MG
6	PAMELOR (CAPSULE)	NORTRIPTYLINE	25, 50 MG
7	PAXIL (TABLET)	PAROXETINE	10, 20, 40 MG

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8	PRISTIQ (TABLET)	DESVENLAFAXINE	50, 100 MG
9	PROZAC (CAPSULE)	FLUOXETINE	10 MG
10	REMERON (TABLET)	MIRTAZAPINE	15, 30 MG
11	TOFRANIL (TABLET)	IMIPRAMINE	25, 50 MG
12	WELLBUTRIN (TABLET)	BUPROPION	75, 100, 150 MG
13	WELLBUTRIN SR (TABLET)	BUPROPION SR	100, 150, 200, 300 MG
14	WELLBUTRIN XL (TABLET)	BUPROPION XL	100, 150, 200, 300 MG
15	ZOLOFT (TABLET)	SERTRALINE	25, 50, 100 MG

MOOD STABILIZING AGENTS

	BRAND NAME	GENERIC NAME	STRENGTH
1	DEPAKOTE (TABLET)	DIVALPROEX SODIUM	250, 500 MG
2	DEPAKENE (CAPSULE)	VALPROIC ACID	250, 500 MG
3	ESKALITH (CAPSULE)	LITHIUM CARBONATE	150, 300, 450, 600 MG
4	LAMICTAL (TABLET)	LAMOTRIGINE	25, 50, 100, 150, 200 MG
5	NEURONTIN (CAPSULE)	GABAPENTIN	100, 300, 400, 600, 800 MG
6	TEGRETOL (TABLET)	CARBAMAZEPINE	100, 200 MG
7	TOPAMAX (TABLET)	TOPIRAMATE	15, 25, 50, 100, 200 MG
8	TRILEPTAL (TABLET)	OXCARBAMAZEPINE	150, 300, 600 MG

ANTI-ANXIETY AGENTS

	BRAND NAME	GENERIC NAME	STRENGTH
1	ATIVAN (TABLET)	LORAZEPAM	0.5, 1, 2 MG
2	BUSPAR (TABLET)	BUSPIRONE	5, 7.5, 10, 15, 30 MG
3	KLONOPIN (TABLET)	CLONAZEPAM	0.125, 0.25, 0.5, 1, 2 MG
4	LIBRIUM (CAPSULE)	CHLORDIAZEPOXIDE	5, 10, 25 MG
5	SERAX (CAPSULE)	OXAZEPAM	10, 15, 30 MG
6	XANAX (TABLET)	ALPRAZOLAM	0.25, 0.5, 1, 2 MG
7	VALIUM (TABLET)	DIAZEPAM	2, 5, 10 MG
8	AKINETON (TABLET)	BIPERIDEN	2 MG
9	SYMMETREL (CAPSULE)	AMANTADINE	100 MG

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10	COGENTIN (TABLET)	BENZTROPINE	0.5, 1, 2 MG
11	ARTANE (TABLET)	TRIHENXYPHENIDYL	2, 5 MG
12	CATAPRES (TABLET)	CLONIDINE	0.1, 0.2, 0.3 MG
13	ALPHA-TOCOPHEROL	VITAMIN E	400 IU
14	NICODERM CQ	NICOTINE TRANSDERMAL	5, 7, 10, 14, 15, 21 MG/DAY

ADHD MEDICATIONS

	BRAND NAME	GENERIC NAME	STRENGTH
1	ADDERALL (TABLET)	AMPHETAMINE/DEXTROAMPHETAMINE	5, 7.5, 10, 12.5, 15, 20, 30 MG
2	ADDERALL XR (CAPSULE)	AMPHETAMINE/DEXTROAMPHETAMINE	5, 15, 20, 25, 30 MG
3	CONCERTA (TABLET)	METHYLPHENIDATE	18, 27, 36, 54 MG
4	DEXEDRINE	DEXTROAMPHETAMINE	5, 10, 15 MG
5	FOCALIN	DEXMETHYLPHENIDATE	2.5, 5, 10 MG
6	INTUNIV	GUANFACINE	1, 2 MG
7	METADATE	METHYLPHENIDATE	5, 10, 20 MG
8	RITALIN	METHYLPHENIDATE	5, 10, 20 MG
9	RITALIN SR	METHYLPHENIDATE	10, 20, 30, 40, 50, 60 MG
10	STRATTERA	ATOMOXETINE	10, 18, 25, 40, 60, 80, 100 MG
11	VYVANSE	LISDEXAMFETAMINE	20, 30, 40, 50, 60, 70 MG

HYPERACIDITY

	BRAND NAME	GENERIC NAME	STRENGTH
1	PRILLOSEC	OMEPRAZOLE	20, 40 MG
2	MYLANTA	ALUMINUM HYDROXIDE/MAGNESIUM HYDROXIDE	200 MG / 5 ML, 400 MG / 5 ML
3	MAALAOX	ALUMINUM HYDROXIDE/MAGNESIUM HYDROXIDE	(540 MG / 40 MG) / 5 ML
4	MILK OF MAGNESIA	MAGNESIUM HYDROXIDE	

PAIN MEDS

	BRAND NAME	GENERIC NAME	STRENGTH
1	TYLENOL	ACETAMINOPHEN	325, 500 MG
2	MOTRIN	IBUPROFEN	400, 600, 800 MG
3	ECOTRIN	ASPIRIN	81, 325 MG

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ANTIHYPERTENSIVE

	BRAND NAME	GENERIC NAME	STRENGTH
1	TENORMIN	ATENOLOL	25, 50, 100 MG
2	LOPRESOR	METOPROLOL	25, 50, 100 MG
3	ZESTRIL	LISINAPRIL	2.5, 5, 10, 20, 30, 40 MG
4	COZAAR	LOSARTAN	25, 50, 100 MG
5	DIOVAN	VALSARTAN	40, 80, 160, 320 MG
6	NORVASC	AMLODIPINE	2.5, 5, 10 MG
7	HYDRODIURIL	HYDROCHLOROTHIAZIDE	12.5, 25, 50, 100 MG
8	CAPOTEN	CAPTAPRIL	12.5, 25, 50, 100 MG

ANTIALLERGY

	BRAND NAME	GENERIC NAME	STRENGTH
1	ZYRTEC	CETIRIZINE	5, 10 MG
2	ALLEGRA	FEXOFENADINE	30, 60, 180 MG
3	BENADRYL	DIPHENHYDRAMINE	12.5, 25, 50 MG
4	CLARINEX	DESLOTRADINE	5 MG

COUGH MEDS

	BRAND NAME	GENERIC NAME	STRENGTH
1	ROBITUSSIN	DEXTROMETHORPHAN	30 MG / ML
2	TYLENOL COLD & COUGH		
3	SUDAPED	PSEUDOEPHEDRINE	15, 30, 60, 120 MG

DIABETIC MEDS

	BRAND NAME	GENERIC NAME	STRENGTH
1	GLUCOTROL	GLIPIZIDE	5, 10 MG
2	GLUCOPHAGE	METFORMIN	500, 850, 1000 MG
3	PRECOSE	ACARBOSE	25, 50, 100 MG
4	ACTOS	PIOGLITAZONE	15, 30, 45 MG
5	JANUVIA	SITAGLIPTIN	25, 50, 100 MG
6	HUMULIN R	REGULAR INSULIN	

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7	HUMULIN 70 / 30	
8	GLUCOSE METER	

INFECTIONS

	BRAND NAME	GENERIC NAME	STRENGTH
1	CIPRO (TABLET)	CIPROFLOXACIN	250, 500, 750 MG
2	BACTRIM DS (TABLET)	SULFAMETHOXAZOLE & TRIMETHOPRIM	160 MG / 800 MG
3	TRIMOX (CAPSULE)	AMOXICILLIN	250, 500 MG
4	ZITHROMAX (TABLET)	AZITHROMYCIN	250, 500 MG
5	AUGMENTIN (TABLET)	AMOXICILLIN & CLAVULANATE	500, 875 MG

ANTI-ASTHMA

	BRAND NAME	GENERIC NAME	STRENGTH
1	PROAIR HFA	ALBUTEROL INHALER	90 MCG
2	PROVENTIL NEBULES	ALBUTEROL NEBULES	0.08%
3	ADVAIR DISKUS	SALMETROL / FLUTICASON	50 MCG / 100 MCG, 50 MCG / 25 OMG, 500 MCG /
4	NEBULIZER		500 MG (ACTUATION)

ANTI-OPIOD DEPENDENCY

1	VIVITROL	NALTREXONE	380 MG
2	SUBOXONE	BUPRENORPHINE/NALOXONE	16/4 MG

MISCELLANEOUS

BACITRACIN OINTMENT

NOTE:

DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE
FEE SCHEDULE FOR MEDICATION - PHASE I
FY2012

DMHSA PHARMACY FORMULARY MEDICATION FEES ARE PROPOSED AT COST +200%

NITROGLYCERIN SUBLINGUAL (NITROSTAT) - 0.3, 0.4, 0.6 MG
HYDROGEN PEROXIDE 10%
NEOSPORIN OINTMENT
CALAMIN LOTION (CALADRYL)
DISPHENHYDRAMIN CREAM (BENADRYL)

This list of medications is comprised by the Chief Pharmacist operating the DMHSA Pharmacy and one of the Psychiatrists who provides services to the DMHSA, and include the medication used in the treatment for behavioral health and substance abuse conditions.



GUAM CODE ANNOTATED

TITLE 10

CHAPTER 86

10 GCA HEALTH AND SAFETY
CH. 86 DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

CHAPTER 86
DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

- § 86101. Policy.
- § 86102. Definitions.
- § 86103. Creation of Department.
- § 86104. Effective Date of Transfer.
- § 86105. Powers and Duties.
- § 86106. Auxiliary Fund.
- § 86107. Council on Mental Health and Substance Abuse.
- § 86108. Duties of Council.
- § 86109. Guam Drug and Alcohol Detoxification, Rehabilitation, and Prevention Grant Program.
- § 86110. Expiration of Act.

§ 86101. Policy.

It is hereby declared to be the public policy of the territory of Guam, to provide comprehensive inpatient and community-based outpatient mental health, alcohol and drug programs and services for the people of Guam, and to continually strive to improve, enhance, and promote the physical and mental well-being of the people of Guam who experience the life-disrupting effects of mental illness, alcoholism and drug abuse or are at risk to suffer those effects and who need such assistance and; to provide such assistance in an efficient and effective manner in order to minimize community disruption and strengthen the quality of personal, family and community life.

It shall be the public policy of the government of Guam to encourage the development of privately-funded community based programs for mental health, drug and alcohol abuse, in particular those programs that employ qualified local residents. As those services become developed and/or available in the Territory, the government of Guam may gradually phase out of such operations.

SOURCE: 10 GCA §85101; Added by P.L. 17-21.

§ 86102. Definitions.

For purposes of this Chapter, the following definitions shall apply unless otherwise specifically provided.

(a) **DEPARTMENT.** *Department* means the Department of Mental Health and Substance Abuse.

10 GCA HEALTH AND SAFETY
CH. 86 DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

(b) **DIRECTOR.** *Director* means the administrative head of the Department.

(c) **COUNCIL.** *Council* means the Council on Mental Health and Substance Abuse.

(d) **MENTAL ILLNESS.** *Mental Illness* means those diseases and conditions which the manifestations of which seem mostly to affect a person's behavior, feelings, thinking and perception and view of the world around him to the extent that his mental health is substantially impaired, including the mentally retarded.

(e) **ALCOHOLISM.** *Alcoholism* means a category for persons whose alcohol intake is great enough to damage their physical health, or their personal or social functioning or when it has become a prerequisite to normal functioning.

(f) **DRUG ABUSE.** *Drug Abuse* means the use, without compelling medical reason, of drugs which results in psychological or physiological dependency as a function of continued use in such a manner as to induce mental, emotional or physical impairment and cause socially dysfunctional or socially disordering behavior.

(g) **TREATMENT.** *Treatment* means the broad range of emergency, outpatient, intermediate care including diagnostic evaluation; medical psychiatric, psychological, and social service care; vocational rehabilitation and career counseling which may be extended to mentally ill clients, alcoholics, and drug abusers.

(h) **COMMUNITY-BASED SERVICES.** *Community-Based Services* means the provisions of mental health, alcohol and drug abuse services in a non-institutional setting that is located within (or as close to) the client's community.

(i) **PREVENTION.** *Prevention* means a proactive, interdisciplinary, and multi-cultural approach designed to empower the individual with social competencies to enable him to cope with life stresses and promote a healthy functioning life-style. It is proactive in that it spans the deliberate activity before the onset of the problem. It is interdisciplinary in that it spans the traditional human service delivery systems. It is multi-cultural as it recognizes the diversity of values of the multi-ethnic people of Guam and neighboring Pacific Islands. In empowering people, it enhances their natural support system or, when this support is absent, provides a means of

10 GCA HEALTH AND SAFETY
CH. 86 DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

enabling them to help themselves, moving them from dependency toward personal autonomy in ways that are acceptable to them.

(j) PROVIDER. *Provider* means a professional employed in the field of mental health, drugs and alcohol.

SOURCE: 10 GCA §85102; Added by P.L. 17-21.

§ 86103. Creation of Department.

There is within the government of Guam a Department of Mental Health and Substance Abuse. The Council, by an affirmative vote of four (4) members, shall select and, with the approval of the Governor, appoint the Director of the Department of Mental Health and Substance Abuse, with the advice and consent of the Legislature. The Director shall be responsible for the day-to-day operations of the Department. The Director's salary shall be as provided by 4 GCA §6206.

SOURCE: 10 GCA §85103; Added by P.L. 17-21.

§ 86104. Effective Date of Transfer.

(a) Effective October 1, 1983, all working capital, accounts payable and receivable, all books, records, obligations, assets, liabilities, agreements and privileges pertaining to the operations of the existing Community Mental Health Center and Mental Health and Substance Abuse Agency shall be transferred to the Department of Mental Health and Substance Abuse.

(b) Upon the transfer of functions, all independent contractors and contract employees of the Mental Health and Substance Abuse Agency and the Community Health Center shall have the option of completing any existing contracts upon which they may be retained. No person who accepts a transfer to the Department shall, during the remainder of the term of his existing contract, which term shall in no event be extended:

(1) be removed from his employment except for cause; or

(2) have his salary or any of his benefits of government employment, if any, reduced except as such salary and benefits that may be reduced uniformly for all government employees.

(c) Upon the transfer of functions, all classified employees of the Mental Health and Substance Abuse Agency and all classified employees except the nurses of the inpatient unit of the Community Mental Health Center of the Guam Memorial Hospital Authority shall be transferred to the Department in the same grade and step as they held at the time of transfer.

10 GCA HEALTH AND SAFETY
CH. 86 DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

They shall continue to be members of the classified service. The nurses of the inpatient unit of the Community Mental Health Center shall remain classified employees of the Guam Memorial Hospital Authority at the same grade and step.

SOURCE: 10 GCA §85104; Added by P.L. 17-21.

§ 86105. Powers and Duties.

A.(1) The Department, adhering to Federal regulations, local physical needs, feasibility and appropriateness, shall provide mental health, alcohol and drug abuse treatment services. The Department shall establish and adopt regulations concerning fees it may charge for such services, which may be based on ability-to-pay standards as established by the Guam Memorial Hospital Authority's 'Limit of Liability' Program. Such services shall include:

(a) 24-hour crisis intervention services to include as needed a mobile crisis team and a hot-line;

(b) partial hospitalization and aftercare services to include transitional homes for the mentally ill;

(c) outpatient services to include as needed team services for children, the elderly and adults;

(d) individual, group, and family counseling services;

(e) inpatient services to include but not be limited to acute psychiatric and alcohol and drug detoxification services. The department may contract in writing for the provision of inpatient services with any qualified providers. The department shall be responsible for insuring that the medical care standards and quality controls for inpatient services provided above are met.

(2) The Department shall provide mental health, alcohol and drug abuse prevention programs and services. Such programs and services shall include:

(a) affecting policy to change conditions to minimize the availability of drugs and other negative influences;

(b) training significant individuals, such as parents, teachers, commissioners, and parish priests, with prevention skills;

(c) providing information via clearinghouse for drug and alcohol information;

10 GCA HEALTH AND SAFETY
CH. 86 DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

(d) promoting alternatives to drug and alcohol use, particularly among the youth; and

(e) education to include dissemination of accurate information, as well as enhancing social competencies.

(3) There is established a Treatment Center within the Department whose head will be a classified employee who will report directly to the office of the Director. The head of the Treatment Center shall have responsibility for the treatment and prevention services outlined in §86105 A (1) and (2) of a qualified mental health professional with clinical experience and at least a master degree in health administration, social work, psychology or related field as determined by the Civil Service Commission.

B.(1) The Department shall apply for, receive and administer federal funds available from the U. S. Department of Health and Human Services, now or in the future for mental health, alcohol and drug abuse treatment and prevention programs. The Department is the exclusive governmental agency with the power and duty to apply for and receive such funds. The Department in applying for mental health, alcohol and/or drug abuse grants from all sources is required to coordinate the development of such grant proposals with the Guam Health Planning and Development Agency to insure programs and services secured through such grant applications are in harmony with the plans developed by the Department. This shall not preclude nor prevent private sectors providers from applying for federal funds for which they are eligible.

(2) The Department shall develop and administer written policies and procedures to ensure that the mental health, alcohol and drug abuse programs that receive federal funds comply with those parts of federal law particularly applicable to mental health, alcohol and drug abuse programs.

(3) The Department shall develop and adopt written policies, procedures, and regulations to ensure that the administration of federally-funded mental health, alcohol and drug abuse programs complies with standards set by the territory of Guam as a condition to the receipt of federal funds.

(4) The Department, pursuant to the Administrative Adjudication Act, shall develop procedures and adopt rules in regards to monitoring

10 GCA HEALTH AND SAFETY
CH. 86 DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

and evaluating grants, subsidies, or purchase of service agreement. Applicants to whom a grant or subsidy has been made, or a purchase of service agreement awarded, shall agree to comply with such rules and procedures.

C. The Department and the Guam Health Planning and Development Agency (GHPDA), pursuant to the Administrative Adjudication Act, shall work jointly to adopt the standards and procedures for licensure of mental health, regulations shall be adopted within 18 months after the effective date of this Act, after which no mental health, alcohol and drug abuse treatment program shall be operated on Guam without a license from the Department. These standards shall be used in the Certificate of Need Review when such review is required by law. Denial of a license by the Department may be appealed to GHPDA. The Department Director shall assist in reviewing the credentials of mental health, drug and alcohol professionals.

D.(1)(a) The Department shall annually review and amend, as necessary, the present territory of Guam Mental Health Five-Year State Plan: 1981-1986. Hereinafter the Department shall publish a Three-Year Plan and amend it annually.

(b) The Department shall develop and publish specific plans and projects for achieving the objectives established in the annual update to the Three-Year Plan.

(c) The Department shall implement the Guam Three-Year Plan, as it is annually amended.

(d) The Three-Year Plan, as it is annually amended, shall constitute the mental health component of the Territorial Health Plan prepared by Guam Health Planning and Development Agency. The Director of the Department shall execute an inter-agency agreement with GHPDA to govern the procedure by which the mental health plan shall be prepared for inclusion in the Territorial Health Plan.

(2) By December 31, 1986, the Department shall establish and publish a Three-Year Plan that describes the Department's objectives through 1989 in planning, evaluating, monitoring, and developing mental health, alcohol and drug abuse services on Guam. The provisions in subsection (1) of this section that are applicable to the annual update of the present Five-Year Plan shall be applicable to the Three-Year Plan.

10 GCA HEALTH AND SAFETY
CH. 86 DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

SOURCE: 10 GCA §85105; Added by P.L. 17-21.

§ 86106. Auxiliary Fund.

There is established separate and apart from any other government funds, a Department Auxiliary Fund, in which monies and assets from fund raising activities and charitable contributions shall be deposited. The Council shall adopt rules and regulations as to what would constitute authorized expenditures for the patients. The Department's Fiscal Officer shall be custodian of the Fund and shall invest these monies in bank accounts insured by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporation (FSLIC) and may spend the funds as needed, for patient needs or programs in mental health, alcohol and drug abuse, as outlined in the Department's Three-Year Plan. Independent records and accounts shall be maintained in connection therewith. The Director shall be the certifying officer for the fund. An annual audit shall be conducted and a report of the Fund activities shall be submitted to the Governor, the Speaker of the Legislature, the Chairman of the Committee on Health, Welfare and Ecology, and the Chairman of the Committee on Ways and Means within thirty (30) days when the audit is completed.

SOURCE: 10 GCA §85106; Added by P.L. 17-21.

§ 86107. Council on Mental Health and Substance Abuse.

(a) There is within the Department an Advisory Council for Mental Health, Alcohol and Drug programs and services known as the Advisory Council. The Council shall consist of seven (7) members appointed by the Governor and confirmed by the Legislature. The members of the Council shall serve for three (3) years; provided that of the members first appointed, two (2) shall serve for one (1) year, two (2) shall serve for two (2) years and three (3) shall serve for three (3) years.

(b) The Council shall annually elect a Chairperson, Vice-Chairperson and Recorder from among its membership. The Council shall meet at least once a month at such time and place as the Chairperson may designate. Meetings shall be well publicized and shall be open to the public. Executive sessions are permitted only in accordance with the Open Government Law. Four (4) members shall constitute a quorum of the Council for the transaction of business. The concurrence of four (4) members present shall constitute official action of the Council.

SOURCE: 10 GCA §85107; Added by P.L. 17-21, Amended by P.L. 17-25.

§ 86108. Duties of Council.

The Council shall review and approve the plans and programs of the Department and for that purpose shall have the following duties:

- (1) Review and approve the Department's annual budget;
- (2) Review and approve the Department's Three Year Plan and its annual update;
- (3) Periodically review available services and facilities to determine mental health, drug and alcohol program needs;
- (4) Utilize the support and assistance of interested persons, including recovered clients, to encourage potential clients to undergo treatment voluntarily;
- (5) Review and comment on all new and renewed Federal grants application.
- (6) Perform such acts as may be reasonably necessary to accomplish the purpose for which it was formed, subject, however, to the following conditions:
 - (a) Adopt such rules and regulations pursuant to the Administrative Adjudication Law as may be necessary for the exercise of the Department's powers, performance of its duties and administration of its operations.
 - (b) Set fees, pursuant to the Administrative Adjudication Law, for appropriate types of services, appropriate types of medication formulary, and appropriate types of supplies, except in so doing, such fees shall not be retroactive as to services, medications and supplies furnished prior to the effective date of the enactment of such fees.
 - (c) The schedule of fees shall be sufficient to recover the operating costs and fixed costs and to generate such revenue as is necessary to make the Department quasi-self-sustaining. The costs of any medical care and services rendered to any person under a medically indigent or assistance program as defined within Chapter 2 of this Title and/or Medicaid/medicare, shall be paid by the Department of Public Health and Social Services. Annual Analysis Report to I Liheslaturan Guåhan [the Legislature].

As a means of assuring the People of Guam that the Department is cost effective in the delivery and performance of healthcare services

10 GCA HEALTH AND SAFETY
CH. 86 DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

mandated by law, the Council will establish monitors to measure the quality and appropriateness of services rendered, and the productivity and financial performance of the Department. The results of this measure shall be submitted to I Liheslaturan Guåhan [The Legislature] concurrently with any fee adjustments.

(d) The Council shall submit to I Liheslaturan Guåhan, for approval, a budget for the use of any funds collected through the implementation of a fee schedule."

SOURCE: 10 GCA §85108; Added by P.L. 17-21. Item (6) added by P.L. 26-170:5 (eff. 6/1/2003).

NOTE: The reason for the addition of Item (6) is to implement the federal program authorized in Sections 1-4 of P.L. 26-170, but uncodified.

§ 86109. Guam Drug and Alcohol Detoxification, Rehabilitation, and Prevention Grant Program.

(a) There is hereby created a Guam Drug and Alcohol Detoxification, Rehabilitation, and Prevention Grant Program within the Department of Mental Health and Substance Abuse for the purpose of providing annual grants to local non-profit organizations providing drug and alcohol detoxification, rehabilitation, and prevention services.

(b) The Grant Program shall be funded annually by appropriation from *I Liheslaturan Guåhan* and administered by the Director of the Department of Mental Health and Substance Abuse beginning in Fiscal Year 2006.

(c) All grants shall be approved by a grant review panel consisting of the Director of the Department of Mental Health and Substance Abuse, the Director of the Department of Public Health and Social Services and the Director of the Bureau of Plans and Statistics.

(d) The Director shall establish criteria that takes into consideration both sexes for the grant reviews of local non-profit organizations providing drug and alcohol detoxification, rehabilitation, and prevention services by October 1, 2005.

(e) The proportionate distribution of grant funds shall be a consideration in awarding grants to local non-profit drug and alcohol detoxification, rehabilitation, and prevention organizations servicing adult male, adult female and adolescent patients.

(f) The Department of Mental Health and Substance Abuse, *no later than May 1st* of each year, shall provide to *I Maga'lahaen Guåhan* and *I*

10 GCA HEALTH AND SAFETY
CH. 86 DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

Lihe slaturan Guåhan an expenditure and performance report of grants issued to local non-profit organizations of the Guam Drug and Alcohol Detoxification, Rehabilitation, and Prevention Grant Program and shall include recommendations with reference to additional legislation or other action it deems necessary to carry out its purpose.

SOURCE: 10 GCA §85109; Added by P.L. 17-21. Repealed by P.L. 18-48:13. Added by P.L. 28-61:2 (June 30, 2005).

§ 86109.1. Residential Treatment Program.

There is established within the Department of Mental Health and Substance Abuse a program entitled the Residential Treatment Program, to provide transitional living services for mentally ill and mentally retarded clients, to provide adequate and continuing supervision and counseling to clients released to the community and to acquaint and assist clients with various support agencies and programs. The Residential Treatment Program shall be fully operational within sixty (60) days of enactment of this section. In evaluating clients for admission to such Program, the Department shall not require the consent of those mentally ill or retarded clients who are a physical threat to themselves, their families, or the public, but shall require the recommendation of such clients' parent(s), of the Superior Court of Guam, or of a licensed physician.

SOURCE: Added by P.L. 20-93:1.

§ 86110. Expiration of Act.

[Repealed]

SOURCE: 10 GCA §85110; Added by P.L. 17-21. Repealed by P.L. 18-48:13. The result of this appeal is to make permanent this Chapter and the Department it creates.
